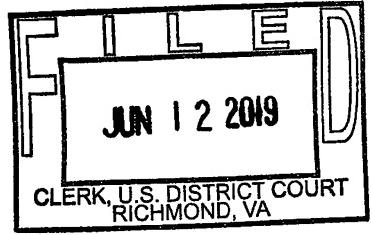


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



ROBERT CHARLES GERKE, )  
                                )  
Plaintiff,                 )  
                                )  
v.                             ) Civil Action No. 3:19CV147-HEH  
                                )  
DAVID CALL, *et al.*,     )  
                                )  
Defendants.                 )

**MEMORANDUM OPINION**  
**(Dismissing Action Without Prejudice)**

By Memorandum Order entered on May 8, 2019, the Court directed Plaintiff to pay an initial partial filing fee of \$6.80 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. *See* 28 U.S.C. § 1915(b)(1). Plaintiff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Plaintiff is not entitled to proceed *in forma pauperis*. Plaintiff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

An appropriate Order shall accompany this Memorandum Opinion.

/s/

HENRY E. HUDSON  
SENIOR UNITED STATES DISTRICT JUDGE

Date: June 12, 2019  
Richmond, Virginia